

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

SHERI WADE

Plaintiff,

V.

INTERWORKS UNLIMITED, INC.

Defendant.

Case No. 3:18-cv-00828-MHL

UNSWORN DECLARATION OF SHERI WADE

I, Sheri Wade, make the following Unsworn Declaration pursuant to 28 U.S.C. § 1746. I make this Unsworn Declaration based upon my personal knowledge of the matters stated herein and do hereby declare the following under penalty of perjury:

1. I watched an infomercial advertising the High Roller Hoverboard Smart-C (“Hoverboard”) on the QVC network on December 10, 2016. The exact infomercial I watched can be found at the following web address: <https://www.youtube.com/watch?v=R44HLe-z0qY>.
2. I watched the infomercial through my cable provider, Verizon Fios, on channel 650.
3. I was at my home when I watched the infomercial for the Hoverboard. My home address is 2608 Torquay Loop North Chesterfield, Virginia 23226-1352 (“Home”).
4. I ordered the Hoverboard by visiting the QVC website and placing an order online on December 12, 2016. My order number was 4944135228. Please find attached the order confirmation email I received from QVC as Exhibit A.
5. I was either at Home or at work when I ordered the Hoverboard. My work address is 4801 Cox Road, Suite 205, Glen Allen, VA 23060.

6. I had the Hoverboard delivered to Sylvia Brown, my husband's grandmother, in Richmond, Virginia. See Ex. A at 1. I did so because the Hoverboard was a Christmas present for my son and I did not want to risk him seeing it prior to Christmas.

7. My son unwrapped the Hoverboard on Christmas morning but we did not open the box until January 1, 2017.

8. The User Manual that was included with the Hoverboard is the same as the User Manual which has been docketed as ECF No. 1-1 (the "User Manual") in the above-captioned matter.

9. I attempted to ride the Hoverboard in my Home on January 8, 2017.

10. Prior to operating the Hoverboard, I read the Manual which was included in the packaging.

11. I donned the recommended safety equipment as outlined in the Manual, to include a helmet, kneepads, and tennis shoes.

12. The use of wrist guards was not mentioned in the User Manual nor did the pictorial depictions show wrist guards. Relying on the User Manual's content, I did not don wrist guards.

13. I read in the Manual that the Hoverboard had built in warning mechanisms which would alert me, through an alarm and an indicator light, if I was not at a sufficient balance state to allow for safe movement.

14. I stepped on the Hoverboard in the manner indicated in the User Manual and none of the warning mechanisms activated.

15. Relying on the content of the User Manual with respect to the warnings I would receive if the Hoverboard were not sufficiently balanced to permit movement, I attempted to move

forward on the Hoverboard in accordance with the instructions in the User Manual, but the Hoverboard unexpectedly lurched backwards instead.

16. As a result of the unexpected lurch backward, I fell forward and landed on my left arm.


17. As a result of the fall, I sustained severe fractures in my left wrist and left arm.

18. I underwent a 9-hour surgery to address the fractures in my left wrist and left arm.

19. To date, I have amassed \$277,021.74 in medical bills as a result of this injury.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 18th day of March, 2019.



Sheri Wade